

# BEREA CITY COUNCIL

*City of Berea, Ohio*

ORDINANCE NO. 2025-62

By: Councilman Chris McManis Sponsor: Mayor Cyril M. Kleem

## AN ORDINANCE

### **REPEALING AND REPLACING SECTION 311.06, REQUIREMENTS UPON SALE OF PROPERTY; DUTY OF SELLER AND ESCROW AGENT; BUYERS RIGHTS, OF CHAPTER 311, WATER SUPPLY, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA.**

**WHEREAS**, upon the sale of a property in the City of Berea, sellers have a duty to provide the buyers with a status report of their water and sewer account, along with any other funds owed to the City; and

**WHEREAS**, the Finance Department is required to compile data and prepare the status report; and

**WHEREAS**, the Director of Finance recommends that a reasonable fee be charged in order to prepare and distribute the report to the necessary parties

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That Section 311.06, Requirements Upon Sale of Property; Duty of Seller Escrow Agent; Buyers Rights, of Chapter 311, Water Supply, of the Codified Ordinances of the City of Berea, attached hereto as Exhibit "A" and incorporated herein by reference, shall be expressly repealed in its entirety and replaced with new Section 311.06, Requirements Upon Sale of Property; Duty of Seller Escrow Agent; Buyers Rights, of Chapter 311, Water Supply, of the Codified Ordinances of the City of Berea, attached hereto as Exhibit "B" and incorporated herein by reference.

**SECTION 2.** That is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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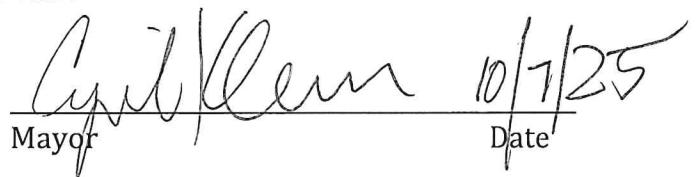
PASSED: *October 6, 2025*

ATTEST:   
Clerk of Council

APPROVED AS TO FORM:

  
President of Council

APPROVED:

  
Mayor *10/7/25* Date

  
Director of Law

EXHIBIT "A"

**311.06 REQUIREMENTS UPON SALE OF PROPERTY; DUTY OF SELLER AND ESCROW AGENT; BUYERS RIGHTS**

- (a) No person, agent, firm or corporation shall sell by deed, land contract or otherwise transfer any interest in any property served by Berea water, without furnishing the buyer prior to such sale, a statement from the City setting forth the current status of the water account, and when an escrow has been established, depositing in escrow prior to delivery of possession or transfer of title a statement from the buyer acknowledging the receipt of this document and accepting responsibility for all future water bills in accordance with these Codified Ordinances.
- (b) No person, agent, firm or corporation acting in the capacity of an escrow agent in any real estate transaction involving the sale of any premises which is supplied with City water, shall disburse any funds without complying with this section.
- (c) A conviction under this section shall not be a bar to the rights of a buyer to recover, by civil suit from the seller, real estate agent or broker or escrow agent for the amounts of water supplied, to the previous owner and paid by the buyer, either prior to or after the closing of such purchase and sale transaction.

EXHIBIT "B"

311.06 REQUIREMENTS UPON SALE OF PROPERTY; DUTY OF SELLER AND ESCROW AGENT; BUYERS RIGHTS

- (a) No person, agent, firm or corporation shall sell by deed, land contract or otherwise transfer any interest in any property served by Berea water, without furnishing the buyer prior to such sale, a statement from the City setting forth the current status of the water account, and when an escrow has been established, depositing in escrow prior to delivery of possession or transfer of title a statement from the buyer acknowledging the receipt of this document and accepting responsibility for all future water bills in accordance with these Codified Ordinances. The City shall, from time to time, establish a reasonable fee to be charged to any person, firm or corporation for a status report of any water and/or sewer bill for any such property.
- (b) No person, agent, firm or corporation acting in the capacity of an escrow agent in any real estate transaction involving the sale of any premises which is supplied with City water, shall disburse any funds without complying with this section.
- (c) A conviction under this section shall not be a bar to the rights of a buyer to recover, by civil suit from the seller, real estate agent or broker or escrow agent for the amounts of water supplied, to the previous owner and paid by the buyer, either prior to or after the closing of such purchase and sale transaction.